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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,116	02/25/2000	Eric Mao		6642

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EXAMINER

SHIPSIDES, GEOFFREY P

ART UNIT	PAPER NUMBER
1732	

DATE MAILED: 11/28/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/513,116	MAO, ERIC
	<b>Examiner</b>	<b>Art Unit</b>
	Geoffrey P Shipsides	1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-3 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3 is/are rejected.
- 7) Claim(s) 1-3 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### **Specification**

2. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms and phrases, which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear or inexact terms and phrases used in the specification are: On line 7 of page 1 of the specification, the phrase "the ribbon body will not expose from a covering material" is grammatically awkward. On line 9 of page 1, the word –the—should be placed between the word "In" and the word "conventional." On lines 13-14 of page 1, the phrase "If a soft ribbon stripe is to provide with a plastic mark, drawbacks may be occurred." should be worded as –if a soft ribbon is to be provided with a plastic covering with an embedded mark, drawbacks may be encountered.— The specification has not been checked to the extent necessary to determine the presence of all possible errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objections***

3. Claims 1-3 are objected to because of the following informalities: the phrase "when melt" on line 9 of claim 1 should be replaced with --when melted--. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-3 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Lines 3-5 of claim 1 teach the "thermal pressing a combination end of the ribbon stripe to cure the texture of the ribbon stripe and increase the gaps of the texture". The specification, on lines 6-8 of page 2, teaches the step of "thermal pressing a combination end of the ribbon stripe to cure the texture of the ribbon stripe and increase the gaps of the texture," but the specification does not teach the placements of these gaps or how they are increased. Claim 1 also teaches steps of "ejection molding" and the specification also refers to "ejection molding," but ejection molding is not a well-known process in the art and the specification does not teach how to perform an ejection molding process. It is assumed that "ejection molding" is intended to be --injection molding--. If so, then appropriate correction should be made throughout the specification and claims. The applicant is reminded to avoid the insertion of new matter.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

On lines 13-14 of claim 1, the phrase "protruded trade mark pattern being formed on the primary blank plastic being formed on the primary blank plastic material," is unclear as it seems that the primary blank plastic is being formed on to itself.

8. Claim 1 recites the limitation "the texture" in line 4. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 1 recites the limitation "the gaps" in lines 4-5. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 1 recites the limitation "the mold" in line 16. There is insufficient antecedent basis for this limitation in the claim.

#### ***Allowable Subject Matter***

11. Claims 1-3 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, first paragraph and second paragraph, set forth in this Office action.

#### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 6,183,681-B1 (Sullivan et al.), U.S. Patent No. 5,419,475 (Naritomi), U.S. Patent No. 6,139,787 (Harrison), U.S. Patent No. 3,961,011

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(Bramley), U.S. Patent No. 4,230,757 (Toner), U.S. Patent No. 4,259,272 (MacFee), U.S. Patent No. 4,115,489 (Macfee), U.S. Patent No. 4,348,245 (MacFee), U.S. Patent No. 4,735,753 (Ackermann), and Japanese Patent No. JP-57056209-A (Musha) are cited as art of interest to show the current state of the art at the time of invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey P Shipsides whose telephone number is 703-306-0311. The examiner can normally be reached on Monday - Friday 9 AM till 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jan H Silbaugh can be reached on 703-308-3829. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7718 for regular communications and 703-305-7718 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Geoffrey P. Shipsides/gps  
November 13, 2001

  
JAN H. SILBAUGH  
SUPERVISORY PATENT EXAMINER  
ART UNIT 1732

11/14/01